(1937) Department.

SERIES.

G.O. No. 2222

Dated 30-8-1939

[Despatch Abstract]

GOVERNMENT OF MADRAS

Received...20-DEC-1938 Registered.....1938.

Abstract

Establishment - Bellary Municipal Council - Removal of encroachments - Employment of a Special Officer and a peon - Previous orders modified.

LOCAL ADMINISTRATION DEPARTMENT

G.O. No. Ms. 5047 dated 17th December 1938.

Read the following:-

(F) G.O.No.2437 L.A., dated 27th June 1938.
From the Commissioner, Bellary Municipality,
C.C.No.433/A2 dated 16th July 1938, and 23.9.38
From the Collector of Bellary, L.Dis.C.No.3798/38.B-4
dated 7th October 1938.

O r d e r:-

(F) In modification of G.O.No.2437 L.A. dated 27th June 1938 the Government sanction the revised proposal of the Bellary Municipal Council to appoint a Special Officer on Rs.50/- per mensem and a peon on Rs.12/- per mensem temporarily for a period of nine months from the date of appointment, for the removal of encroachments in the Municipality.

2. Orders regarding the appointment of a permanent Town Surveyor for the Municipality will issue separately in the Revenue Department.

(By Order of His Excellency the Governor)

L.J.MacIver,
Secretary to Government.

To the Commissioner, Bellary Municipality,
through the Chairman, Municipal Council, Bellary.
" Collector of Bellary.
" Revenue Department (with encl.).

(True copy)
F o r w a r d e d
/By Order/

Superintendent.

SRM.17.12.38.

Copy of letter from the Commissioner, Bellary Municipality, Bellary, S.C.No.433/38, dated 23-9-1938.

Continuance of Special Officer for a further period - Sanction requested.

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xx xx

5. The survey of the town is now complete and it is very desirable that regular maintenance work should be started. Until the survey records are printed, the existing encroachments have either to be removed or licensed. For this the appointment of permanent surveyor for the Municipality is very necessary and his pay, as laid down by Government, has to be borne by the Municipality and Government in the proportion of 2/3 and 1/3 respectively. The Government may, therefore, be pleased to sanction the post of a Town Surveyor for the Municipality whose work will then be subject to the supervision of the Inspecting Tahsildar. Until this is sanctioned, the present arrangement and the existing temporary staff will be continued and they will be deputed to attend to encroachments and survey complaints. I have respectfully to point out that a permanent surveyor with a knowledge of Telugu or Canarese will be more useful for the present work than temporary hands and it is better that removal of encroachments and disposal of survey claims are entrusted to permanent men over whom the department will have control subsequently. The further orders of Government are awaited.

****

Forwarded.

A lot of work has to be done in connection with the survey that is going on and a good number of encroachments have to be licensed or demolished yet. A full time servant is absolutely necessary to attend to the various demands of the survey party and Deputy Tahsildar appointed to watch the interest of Government and Municipality. There is no one else in Municipal service who is qualified

qualified to do it or capable of doing it. So I very strongly recommend the approval of the proposal.

--- Sd/- . . . . . .
Chairman, Municipal Council.

****

Copy of letter from the Collector of Bellary, L.Dis. C.No.3798/38-B-4, dated 7th October 1938.

SUB: Municipal - Bellary - Municipality - Entertainment of a special officer on Rs.50/- per mensem for a period of nine months - Proposals submitted.

REF: Government Endorsement No.21322-1-A-1, dated 10-9-38.

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xx xx xx

2. The question of appointing a permanent Deputy Surveyor for the Municipality may be considered after the completion of the Town Survey.

Rev. Dept.

Survey - Town Survey - Bellary Municipality - (Bellary) - Removal of encroachments and disposal of Survey complaints - Appointment of a permanent Town Surveyor.

From the Commr., Bellary Mpty.
Sc. No. 1433/38 dt. 23.9.38.

From the Collr. of Bellary
L. Dis. Cno. 3798/38-B4 dt. 7.10.38.
G.O. No. MS. 5047, L.A.D.,
dt. 17.12.38.

Endt. No 7302 E/38-1 dt. 4.1.39

Referred to the Bd. of Rev. for remarks on the proposal to appoint a permanent Town Surveyor for the Municipality.

bs.
3.1.39.

Bd.
5.1.39

4/1/39

Despatched with Memo 7/1/39

the Bd. of Rev.
(with copies of :-
(1) Cio. No. 5047 LAD dt. 17/12/38
(2) Extracts from the Commr's & Collr's letters at pp 3-4 ante)

C.F. 31—14,000—7-7-37.

REVENUE DEPARTMENT.

CURRENT No. 1686

Received 19 39. *Registered* 9-3-39 19 39.

Subject.

SURVEY - Town Survey -(Bellary) -Bellary Municipality- Removal of encroachments and disposal of survey complaints. Appointment of a permanent Town Surveyor.

Reference No. F-189/39 -2

tion Madras, *Dated the* 8th March 19 39.

From R.A. Gopalaswami, Esquire, I.C.S.,

Joint Secretary,

Board of Revenue. Madras.

T. Austin Esquire, I.C.S.,
Commissioner of Land Revenue & Settlement.

Read - the following:-

I 5 cmte. Government Endorsement No.7302 E/38-1, dated 4th Jan.1939.

II.

Letter from J.Scott Brown Esquire, C.I.E., I.C.S., Collector Bellary, No. Ref. H1. 2302/38, dated 6th February 1939.

Survey - Town - Survey - Bellary Municipality- Removal of encroachments and disposal of Survey complaints - Appointment of a permanent surveyor - Report - submitted.

Ref: - Board's Ref. F.No. 189/39-1, dated 19-1-1939. me

The Municipal Commissioner, Bellary requested me in October 1938 to make early arrangements for employing a Town Surveyor to maintain the surveyed portion of the town and to remove encroachments in the Bellary Municipality.

The survey of the town is not complete. I consulted the Officer in charge of Survey Party I, Salem, who stated - that maintenance should be introduced only after the completion of mapping and disposal of land complaints and appeals and after the issue of notification under section 13 of the Madras Survey and Boundaries Act of 1923 which may take about three years. Ft 1530-1531 of Madras Code Vol III (Bk No. 6)

The Municipal Commissioner sent another application in December 1938 urging the appointment of a permanent Town Surveyor. As the Survey of the municipality is not complete yet, and the maintenance records are not ready, I did not agree to the proposal of the Bellary Municipal Council that permanent Town Surveyor should be employed. I informed Commissioner accordingly and suggested that if the Municipal Council considered that the appointment of a Surveyor was so imperative it might employ one at its own cost; and asked the Municipal Commissioner to send a resolution of the Municipal Council to that effect. The Commissioner has not sent any reply.

As the Survey of the Municipality is not complete and the maintenance records have not been printed, I consider that the appointment of a permanent Town Surveyor at the cost of both the Government and the Municipality is premature and unnecessary.

REFERENCE:-

Submitted to the Government.

2. The Board agrees with the Collector's that the appointment of a permanent town surveyor at the cost of both the Government and the Municipality is premature.

S. Ramachandran
For Joint Secretary, 8.3.37.

To
The Secretary to Government, Revenue Department.

..T.S.,
8/3. VR 8/3

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Rev Dept

Memo No 7302E/38-2 dt 25-3-39

Survey - Town Survey (Bellary) - Bellary Municipality - Appointment of a permanent town surveyor - Correspondence ending with Board's letter No F. 189/39-2 dt 8.3.39.

I. Rr. 25-3-39. not returnable

II. Rr. 26-6-39. Returnable 10.7.39

III Rr. 26-7-39. Returned 10.7.39
Returnable 10.8.39
Returned.
pp 7-8 ~~F~~ I
auth

In its reply read above the Board of Rev has observed that in the circumstances reported by the Coll^r of Bellary the appointment of a ~~town~~ surveyor for the maintenance of the town survey of the Bellary Municipality would be premature. ~~It is however observed that the position is~~ ~~however not satisfactory~~ 2. Apparently a good deal, if not the whole of the ~~work~~ field work of the survey has been completed. The Survey Party wants a period of three years for mapping, issuing notice and hearing objections

p 2 ~ 2/

p 8 ~ 1/ Govt auth

10/

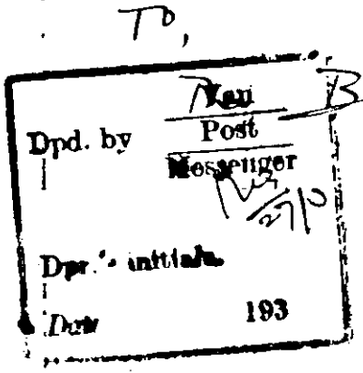
Under the proposals of the Cotton supported by the Board the Survey will not be maintained or ~~brought~~ kept up to date for a period of three years, and by the time the records are ready they will be three years out of date. ~~It has been suggested that this position is not satisfactory and that in order to maintain Survey up to date either by expediting the completion of the Survey formalities should be expedited or arrangements made~~ With a view to saving In the circumstances it seems desirable to ~~have~~ or by making arrangements for the maintenance of the record, such as it is, concurrently with such changes as survey may introduce as a result of Survey appeals. The Board of Rev is requested to offer its remarks on the suggestion and submit revised proposals if necessary.

See p. 2 n.

To,

The Board of Rev.

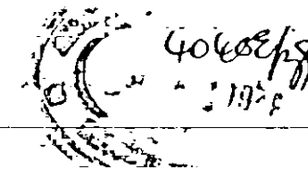
25/3.



C.F. 31—14,000—7-7-37.

REVENUE DEPARTMENT.

CURRENT No.



Received 19 39 *Registered* 19 30

Subject

'SURVEY - Town Survey - (Bellary) - Bellary Municipality - Application of a permanent Town Survey [illegible]

is not possible as the nature of the work is such that delay cannot altogether be avoided. The new survey records will not be available for two or three years. The maintenance of the existing records will not be practicable as the alterations cannot be got incorporated in the records which are being prepared now. Several encroachments are reported to be coming into existence after the survey party had completed the field work and these will have to be controlled in the interest between now and the completion of the survey. I therefore consider that a surveyor is necessary to take action in respect of encroachments by eviction or licensing.

A list of final orders passed in the interval may be kept for incorporation in the records later.

The Board's reminder dated 17-5-39 is enclosed.

REFERENCE:-

A copy of the Collector's letter Ref. 2302/38-H-1, dated 31-5-39, submitted to the Government.

2. In their Memo dated 25-3-39, the Government point out that if no maintenance work is done in the town until the publication of the final notification by the Survey party the records will be about 3 years out of date. The Board submits that arrangements can be made for the maintenance of the survey records whil the office processes are going on in the Survey Party. A copy of B.M. Mis., 1161, dated 23-4-29, in which instructions were issued for incorporating sub-divisions in the Survey records during the interval between the completion of field work, and the publication of Sec. 13 notification is enclosed. The procedure to be adopted in order to carry out changes effected in the course of maintenance work in the Survey records

has been explained in B.P. Misc., 1149 dated 26-4-39 copy submitted herewith. The Board considers that this procedure may be ordered to be followed in the Bellary Municipality but that a town surveyor will be necessary to attend to the maintenance work. The Board therefore recommends that a town surveyor on Rs.30-70 may be appointed, temporarily for a period of one year in the first instance, to measure the necessary sub-divisions and to inspect the stones, stone inspection being first taken up in the blocks surveyed long ago. If this proposal is approved there will be no necessity for the special officer sanctioned by Government in their G.O. No.Ms.5047 (Local Administration) dated 17-12-38. The measurement of the encroachments can be attended to by the Town Surveyor and the Municipality can take action regarding eviction. In this manner the changes can be dealt with and given effect to in the Survey records at the same cost as was sanctioned for the Special Officer.

For Joint Secretary, 2·8·39

To

The Secretary to Government, (Revenue Department) 29
with copies of B.Ps. No. Ms. 1161 dated 23-4-39 &
B.P.No. Misc., 1149 dated 26-4-39.

Copy of B.P.No. Misc., 1161, dated 23-4-1929.

Survey -Sub-divisions after issue of 9 (2) notices Revenue Department:- Procedure - Instructions issued.

Read - Letter from the Collector of Kistna, No. R.O.C. B-4-4703-28, dated 25-2-1929.

RESOLUTION:

The Board observes that the main question on which the Collector solicits orders, in his reference read above, is as to what procedure should be followed in case sub-divisions have to be measured by the Revenue Department in villages under resurvey after the issue of notices under section 9 (2) of the Madras Survey and Boundaries Act and before the publication of the final notification under Sec. 13 i-e-, whether the formalities under the Act beginning - with the issue of a notification under Section 5 should be gone through afresh and in case a notification under Sec. 5 is considered necessary whether the general notification - published in G.O. 1560 Rev., dated 6-7-1915 can be held - sufficient.

2. The Board considers that a separate notification under Section 5 is necessary for all sub-divisions to be measured after the issue of section 9 (2) notices irrespective of the fact whether the sub-divisions are effected by the Revenue or the Survey department. The general - notification of 1915 will not do as it only applies to maintenance, which cannot be considered to begin till after the publication of the notification under Section 13. However, in order to obviate the difficulties and the entire work involved in publishing a separate notification under Section 5 or in postponing all the work till after the publication of the final notification the Board considers that the following procedure may be adopted. All field work connected with the creation of new sub-divisions or measurement of new fields may be done when necessary even before the publication of the final notification. A list of sub-divisions affecting panchaks boundaries and

of all new fields formed may be made out and in respect of this the formalities under the S.B.Act commencing - with the publication of the notification under Section 6 can be observed on the strength of the general notification of 1915, as soon as the notification under Sec. 13 is published by the Survey party. There will be no field ~~waste~~ work involved and all that would be needed ~~in~~ is the issue of the prescribed notices and the notifications. The Board thinks that the list referred to can be easily made out talukwar by the Inspecting Tahsildar when the sub.division records come to him after the c
ment by Revenue Inspectors

< P. 1529 Book no 6.

< Hp 1530-31 Book no 6.

True Extract)

(Sd) A.A.Venkatarama Ayyar,

Assistant Secretary,

To

The Collector of Kistna,
Copy to the Collectors of Malabar, South Kanara, Salem
East Godavari & West Godavari.

ORDER

In the first reference read above, the Officer in charge has raised the question whether the sub-divisions measured by the Revenue Department during the interval between the completion of field work by the survey staff and the publication of the final notification should be plotted by the survey department. The Officer in charge suggests that the sub-divisions measured by the Revenue Department may be incorporated after the survey records are handed over to that department. The Board does not think that it is desirable to postpone the plotting of sub-divisions as in many cases the interval is very long and there is, besides, no point in not incorporating in the records at once the measurements actually made in field. There is no difficulty with regard to sub-divisions measured by the Revenue Department before the issue of 9 (1) notices as the 9 (1) certificate can be recorded by the survey staff and individual notices under section 9 (2) also issued in respect of such sub-divisions. In regard to sub-divisions affecting poramboke boundaries and other cases coming under B.S.O. 34 A the question arises as to what procedure should be followed. These sub-divisions should be plotted by the survey staff in red ink, the

taluk

taluk number being noted in the Field Measurement Book in each case as authority for the change. A list of such changes should be made out by the Inspecting Tahsildar taluk by taluk in accordance with the orders in B.P.Misc., 1161 dated 23-4-~~30~~29. The Revenue Inspector will see that the survey in all the cases not covered by the notices under section 9 (2) issued by the Survey Party is validated by issue of the section 6 notification, 9 (2) -

.1 notification separately after the

11, 15-16 ante

x p. 15-29 & Bad. 106 ibid

19/

Rev. Dept.

Survey - Town Survey - (Bellary) - Bellary Municipality - Removal of encroachments and disposal of survey Complaints - Appointment of a permanent Town Surveyor.

f 1 CF — G.O. no. 5047 L.A.D. dy 17.12.38.

f 5 CF. — Endt. to the Bd. of Rev. No. 7302 E/38-1 dy 4.1.39.

ff 7-8 CF — From the Bd. of Rev. Reptee No. F. 189/39-2 dy 8.3.39.

To Govt.

Please see the extract from the letter of the Commr., Bellary Mfy at f 3 CF., the Endt. to the Bd. of Rev. at f 5 CF. and the Remarks of the Collector of Bellary and the Bd. of Rev. at ff 7-8 CF.

2/. The Survey of the areas under the jurisdiction of the Bellary Mfy was sanctioned
a 1, at f 3 of (E) in G.O. no 2731, Rev. dy 18.12.36. In para 5 of his letter at f 3 CF, the Commr. of the Mfy reported that the Survey of the Bellary town was completed and requested that a permanent town
f 3 CF Surveyor should be employed for the maintenance of the Survey, the Cost of the Surveyor being borne by the Govt. and the Mfy.
ibid in the usual proportion of 1:2. The Collector of Bellary has reported, however, that the
f 8 CF Survey of the town is not complete, and for the reason stated at f 8 CF he considers it

premature to employ a permanent surveyor for the Mfg. at the cost of both the Govt and the Mfg. The Bd. of Rev. has agreed with the Collector. Submits that in the circumstances the request for the employment of a surveyor may be negatived. A draft Govt. order is submitted. It may be sent to C.A.D. for acceptance.

para 2 of his app. 8e;

Ind. 14.3.39.
15/3/39

Ind 16/3.
S.

The position is not satisfactory. I imagine that a good deal of the whole of the field work is finished. The Survey Party now entertains a staff three years mapping, issuing notices & hearing objections. Meanwhile the Survey is not maintained & no-one bothers about changes & by the time their period of "Instruction" is over the records will be at least three years out of date. Either completion of Survey should be expedited or arrangements should be made for the maintenance of the records as it is extremely wasteful with such changes as Survey may introduce as a result of Survey appeals. Put this to the Bd.

V 21/

To U/S.

With reference to Secy's remarks at p 2 supra, a draft O.M. to the B.D. is submd for approval. L.A.D. need not see at this stage.

25/3

Init.
24.3.39.
22
24.3.39

c.f Issued as memo no. 7302-E/38-2 dt 25.3.39.
c.f Refce. from the Board of Rev. no. F. 189/39-3331-7.39.

To U.S.

Please see the memo to the Board of Rev. on pp 9-10 c.f. and the Board's reply and the enclosures to it on pp 11-18 c.f.

2. In the circumstances explained by the Board in para 2 of its Refce. on pp 12-13 c.f. ~~it is for consideration whether~~ its recommendation for the employment of a Town Surveyor on Rs 30-70 temporarily for a period of one year in the first instance, ~~may be~~ to measure the necessary sub-divisions and to inspect stones may be accepted.

3. The Board has not mentioned anything about the employment of Chainmen to work under the Surveyor.

It is also for consideration if Sanction may be accorded for the employment of two Chainmen. ~~G.A.D. Branch~~ Finance may please offer remarks.

4. The Municipal Council ~~has~~ has not passed a resolution agreeing to bear 2/3 of the cost of the special staff to be appointed. However as it is the Municipal Council that ~~is very particular for~~ may be the employment of a Town Surveyor it may be presumed that the Council will agree to bear the proportionate cost.

vide C.J. 7/D the letter on p. 3-c/f

5. ~~It~~ As pointed out by the Board there will be no necessity for the continuance of the special officer sanctioned in G.O. No. 5047 L.A.D. of 17.12.38 after the Town Surveyor is appointed. It is not known when the Spl. Officer was appointed. The services of the special officer and the peon may be ordered to be dispensed with from the date of appointment of the Town Surveyor.

A 13-c/f

(G)

This post was sanctioned in Dec 38

A draft order is submitted for approval. It may be sent to L.A.D. and Finance for acceptance.

7.8.39.

We may agree with the Board and

10/8/39

ask the C.I. to employ the Surveyor after the M. C. agrees to bear its share of the cost. I have added to the draft accordingly.

12/8

S

12/8

L.A.

Fin

Rev. W.O. No.

7302. E/38-3

12.8.39.

L-A. Deptt.

The sanction for the appointment of the Special Officer to perform accorded in Govt. Memo No. 5041/L.A dated 17-12-1938 expired on 11-1-1939 but he is being continued from 1.4.39 as a Town Planning Overseer ~~Therefore to be omitted~~. Subject to the above remarks the draft order may be accepted & the file passed on to Fin. Deptt. W.O.

TM

14/8.

Seen

F.M.

SECRETARY TO GOVERNMENT
14 AUG 1939
27056
LOCAL ADMINISTRATION DEPT.

SS 14/8

Rs. 30 [illegible]

to attend to Town Planning and encroachments. The C.I's application for sanction to the post of T. P Overseer is being sent to E & P.H with the remark that the T. P Overseer need not attend to survey etc.

ASSISTANT SECRETARY TO GOVERNMENT
24 AUG 1939
FINANCE DEPT.

L-A. W.O. No. 27056-1/39

Dt. 23/8/39

23/8

23/8

[illegible]

[illegible]

~~6~~ 24

Finance (E

Please see the Rev. Dept. note on pages 3 – 5 ante.

The draft order may be accepted subject to necessary alteration being made with reference to the remarks of the L. A. Dept. on page 5 ante.

Para 3 of the Dept. is probably unnecessary

28-8

28 AUG 1939

4367 88

Fin (E) 3264388-1

26-8-39

5-8-39.

5.8.39

Rev.

Fin. Para 3 may remain.

28/8.

Secretariat

V5/ 30/3078

D 21/

C.F. 16.

DRAFT FOR APPROVAL.

Date: Initials:

SUBJECT:—

When received for fair copying		
When copied		
When examined		
When signed		
When despatched.		

READ AGAIN G.O.No. 5047. V.A.D. dated 17.12. 1938. (G)

" " " " 19

READ *ALSO*:—

No. 7302-E/38 To From the Board of Rev. Audt No. 7302-E/38-1 dated 4.1. 1939 - p. 5 C/f.

" From the " Ref. " F. 189/39-2 " 8.3.39 - pp 7-8 C/f.

" To the " Mines " 7302-E/39-2 " 25.3.39 - pp 9-10 C/f.

" From the " Ref. " F. 189/39-3 V " 31.7.39 - pp 11-13 C/f.

Order / Resolution — Ms. / Rout. No. 2222 dated 30.8.1939.

Sanction is accorded for the employment for a period of one year from the date of appointment of a Surveyor on Rs 30-70 p.m. and of two Chainmen for work Connected with the ~~measurement of Sub-divisions and inspection of Stones~~ maintenance of the Survey ~~Boards~~ stones and the removal of encroachments in the Bellary Municipality. With reference to the orders in G.O. No. 3110 Res. of 6.12.38

the pay of Chainmen shd be fixed in accordance with the prevailing market rates in the locality.

2. The expenditure shd be met from the provision in the B. E. under "7. C. Land Rev. Land Records - B. Maintenance of Municipal and Town Surveys.". Two-thirds of the proposed cost on account of the special staff, including the cost on account of the pay of the posts, Contributions for leave salary and pension and the actual expenditure incurred by way of travel allowance and Contingent Charges shd be recovered from the Municipality.

3. The services of the special Officer and Peon sanctioned in G.O. No. 5047 L.A. Dt. 17.12.28 shd be dispensed with with effect from the date

vide for precedent para 2 of G.O. No. 488 Rev 24.2.32. Pp 5-6 of (W)

27

of appointment of the Town Surveyor sanctioned in para 1 above.

2 The appended notification will be published in the Fort St. George Gazette.

The Surveyor should be employed after the Municipal Council agrees to bear its share of the cost.

The Board of Rev.
Fin. Dept.
A.G. thro' Fin.
C.A.D.
Comm. Bellary Municipal Council thro' C.A.D.
H.P.S.C. with C.L.
S.S.P. for publication of notifn. para 4 only 5

9.8.39.
10.8.39

Appendix.

Notification.

In exercise of the powers conferred by para (b) of sub-section (1) and para (b) of sub section (2) of sec. 241 of the Govt. of India Act, 1935, H.E. the Governor is hereby pleased to make the following special rules:-

Rules.

The cadre of Category I (Surveyors) of the Madras

Land Records Subordi
Services employed in th
~~Division~~ Bellary ot. Thes
increased temporarily by
one post for a period of
year Commencing on th
date of appointment of
Surveyor for the perform
of work Connected with the
maintenance of the ~~Services~~
~~Protection~~ and the removal of
encroachments in the
Bellary Municipality.

2. The general and
special rules applicable to
holders of permanent posts
borne on the said Cadre
shall apply to the holder
of the said temporary post.

Explanation. In this rul
the expression, "the hold
of the said temporary post
shall mean the person
Counted against the temp
post.